



PUBLIC NOTICE

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DA No. 14-146

Report No. SCL-00151

Thursday February 6, 2014

Actions Taken Under Cable Landing License Act

Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses (47 C.F.R. § 1.767(a))

By the Chief, Policy Division, International Bureau:

Pursuant to An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 (Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 reprinted as amended in 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 C.F.R. § 0.261. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

These applications have been coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules, 47 C.F.R. § 1.767(b), and consistent with procedures established with the Department of State. See Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Streamlined Procedures for Executive Branch Review of Submarine Cable Landing License Requests, State Department Media Note (Revised) (rel. Dec. 20, 2001) available at <http://2001-2009.state.gov/r/pa/prs/ps/2001/6951.htm>.

This public notice serves as each cable landing licensee's Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Cable landing licensees should review carefully the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

The Commission most recently amended its rules applicable to submarine cable landing licenses in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), 67 Fed. Reg. 1615 (Jan. 14, 2002). An updated version of sections 1.767 and 1.768 of the rules is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>. See also http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-02-598A1.pdf for a March 13, 2002 Public Notice; http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf for the December 14, 2001 Report and Order.

SCL-T/C-20131202-00015

E

Global Crossing Americas Solutions, Inc.

Transfer of Control

Grant of Authority

Date of Action: 02/05/2014

Current Licensee: Global Crossing Americas Solutions, Inc.**FROM:** Level 3 GC Limited**TO:** Level 3 Financing, Inc.

Application filed for consent to the pro forma transfer of control of the interest in the cable landing license for the Americas-II Cable System (Americas-II), SCL-LIC-19980429-00019 (Old File Nos. SCL-98-003 and SCL-98-003A), held by Global Crossing Americas Solutions, Inc. (GCAS), from its 100% indirect parent, Level 3 GC Limited (Level 3 GCL), to Level 3 Financing, Inc. (Level 3 Financing). Americas-II extends between Florida, Puerto Rico, and the U.S. Virgin Islands, Martinique, Curacao, Trinidad, Venezuela, French Guiana and Brazil. GCAS holds a 0.04115% voting and equity interest in Americas-II.

The pro forma transfer of control occurred, without prior Commission consent, as part of an intra-corporate reorganization. Level 3 GCL and Level 3 Financing were both direct wholly-owned subsidiaries of Level 3 Communications, Inc. (Level 3 Parent). On October 4, 2011, Level 3 Parent contributed all of the issued and outstanding shares of Level 3 GC to Level 3 Financing, and Level 3 GCL thus became a direct wholly-owned subsidiary of Level 3 Financing. On December 31, 2012, Global Crossing Holdings Limited, an intermediate holding company between Level 3 GCL and GCAS, was merged into Level 3 GCL with Level 3 GCL being the surviving entity.

SCL-T/C-20140116-00001

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Hibernia Atlantic U.S. LLC

Transfer of Control

Grant of Authority

Date of Action: 02/05/2014

Current Licensee: Hibernia Atlantic U.S. LLC**FROM:** Hibernia Atlantic U.S. LLC**TO:** Hibernia Atlantic U.S. LLC

Notification filed January 16, 2014, of the pro forma transfer of control of the cable landing license for the Hibernia Atlantic Cable System (Hibernia Cable System), SCL-LIC-19990804-00012, SCL-MOD-20020412-00022, held by Hibernia Atlantic U.S. LLC (Hibernia Atlantic), from its 100% direct parent, Hibernia Group ehf (Hibernia Group), to Hibernia NGS Limited (Hibernia NGS), effective July 24, 2013. The Hibernia Cable System is a non-common carrier fiber-optic cable system linking the continental United States, Canada, the United Kingdom and Ireland.

In an intra-corporate transaction, a new holding company was inserted into the ownership chain. Prior to the transaction, Columbia Ventures Corporation (CVC) held an 83% direct interest in Hibernia Group and CVC III Hibernia Blocker, Inc. (CV Hibernia) held a 17% direct interest in Hibernia Group. In the transaction, Hibernia NGS was inserted between Hibernia Group and its owners - CVC and CV Hibernia. Hibernia Group is now a wholly-owned direct subsidiary, and Hibernia Atlantic is an indirect wholly-owned subsidiary, of Hibernia NGS, and CVC and CV Hibernia now hold the same ownership interests in Hibernia NGS that they previously held in Hibernia Group, i.e., 83% and 17%, respectively.
